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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HITT GAINES, PC ALCATEL-LUCENT PO BOX 832570 RICHARDSON, TX 75083				
EXAMINER DONAGHUE, LARRY D				
ART UNIT		PAPER NUMBER		
2454				
NOTIFICATION DATE		DELIVERY MODE		
01/06/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@hittgaines.com

Applicant's Request For Continued Examination , states that examiner should " Consider the arguments in the Appeal Brief or Reply Brief previously filed on 2009-06-19. Neither were filed on the corresponding date. A response was filed in the form of an Amendment After Final. However the response is incomplete as it fails to provided proper arguments in support of the patentability over the art of record of newly added claims 44-46.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry Donaghue whose telephone number is (571)272-3962. The examiner can normally be reached on Monday-Friday 9:00 -6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Larry Donaghue/
Primary Examiner, Art Unit 2454